

APR 02 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Travis J. Parry
Serial No.: 09/989,340
Filed: November 20, 2001
Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

Examiner: Andrew H. Lam
Group Art Unit: 2625
Docket No.: 10012807-1

CERTIFICATE OF TRANSMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the following papers are being facsimile transmitted to the U.S.
Patent and Trademark Office, Fax No.: (571) 273-8300 on the date shown below:

1. Transmittal Letter for Appeal Brief (1 pg.); and
2. Appeal Brief under 37 C.F.R. §41.37 (17 pgs.).

Respectfully submitted,

Travis J. Parry,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-2006
Facsimile: (612) 573-2005

Date: Apr. 2, 2007
SAL:hsf

By: 

Scott A. Lund
Reg. No. 41,166

19 PAGES - INCLUDING COVER PAGE

RECEIVED
CENTRAL FAX CENTER

APR 02 2007

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10012807-1IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Travis J. Parry

Confirmation No.: 1358

Application No.: 09/989,340

Examiner: Andrew H. Lam

Filing Date: November 20, 2001

Group Art Unit: 2625

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450TRANSMITTAL OF APPEAL BRIEFTransmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on February 1, 2007.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:☐ 1st Month
\$120☐ 2nd Month
\$450☐ 3rd Month
\$1020☐ 4th Month
\$1590☐ The extension fee has already been filed in this application.☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.Please charge to Deposit Account 08-2025 the sum of \$ 500. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450
Date of Deposit:

OR

☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571)273-8300.

Date of facsimile: April 2, 2007

Typed Name: Scott A. Lund

Signature: 

Respectfully submitted,

Travis J. Parry

By: 

Scott A. Lund

Attorney/Agent for Applicant(s)

Reg No.: 41,166

Date: April 2, 2007

Telephone: 612.573.2006

Rev 10/05 (ApBriar)

APR 02 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant:	Travis J. Parry	Examiner:	Andrew H. Lam
Serial No.:	09/989,340	Group Art Unit:	2625
Filed:	November 20, 2001	Docket No.:	10012807-1
Title:	METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB		

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

This Appeal Brief is submitted in support of the Notice of Appeal filed February 1, 2007, appealing the rejection of claims 1-17 and 19-21 of the above-identified application as set forth in the Final Office Action mailed November 1, 2006.

The U.S. Patent and Trademark Office is hereby authorized to charge **Deposit Account No. 08-2025** in the amount of **\$500.00** for filing a Brief in Support of an Appeal as set forth under 37 C.F.R. § 41.20(b)(2). At any time during the pendency of this application, please charge any required fees or credit any overpayment to Deposit Account No. 08-2025.

Appellant respectfully requests consideration and reversal of the Examiner's rejection of pending claims 1-17 and 19-21.

04/03/2007 TL0111 00000077 082025 09909340
01 FC:1402 500.00 DA

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

TABLE OF CONTENTS

Real Party in Interest.....	3
Related Appeals and Interferences.....	3
Status of Claims	3
Status of Amendments	3
Summary of The Claimed Subject Matter	3
Grounds of Rejection to be Reviewed on Appeal.....	5
Argument	5
Conclusion	10
Claims Appendix	11
Evidence Appendix.....	16
Related Proceedings Appendix.....	17

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

**RECEIVED
CENTRAL FAX CENTER
APR 02 2007**

REAL PARTY IN INTEREST

The real party in interest is Hewlett-Packard Development Company, LP having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

RELATED APPEALS AND INTERFERENCES

Appellant submits that there are no related appeals or interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal.

STATUS OF CLAIMS

Claims 1-17 and 19-21 are pending in the application (see Claims Appendix), and are the subject of the present Appeal. Claim 18 was previously cancelled without prejudice.

Claims 1-17 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Czyszczewski et al. US Patent No. 6,577,907 in view of Chang et al. US Publication No. 2002/0055984.

STATUS OF AMENDMENTS

No amendments have been entered subsequent to the Final Office Action mailed November 1, 2006. The claims listed in the Claims Appendix, therefore, reflect the claims as of November 1, 2006.

SUMMARY OF THE CLAIMED SUBJECT MATTER

One aspect of the present invention, as claimed in independent claim 1, provides a method of distributing print job data from an e-mail enabled printer (230), with the print job data comprising data to be printed by the e-mail enabled printer, and the e-mail enabled printer capable of creating and sending e-mails. The method includes retrieving the print job data from a memory (235) of the e-mail enabled printer; attaching the print job data to an e-mail created by the e-mail enabled printer; sending the e-mail and the print job data from the e-mail enabled printer to an e-mail enabled device (230/210/220); and storing the print job

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

data in a job retention memory of the e-mail enabled device (see, e.g., Figs. 1, 3, and 4; para. [0033]-[0039]).

One aspect of the present invention, as claimed in independent claim 11, provides a method of distributing a print job. The method includes storing one or more print jobs in a memory (235) of an e-mail enabled printer (230), with each of the print jobs comprising data to be printed by the e-mail enabled printer, and the e-mail enabled printer capable of creating and sending e-mails; selecting at least one of the one or more print jobs stored in the memory of the e-mail enabled printer for distribution; creating an e-mail with the e-mail enabled printer; attaching the data of the selected at least one print job to the e-mail; and sending the e-mail from the e-mail enabled printer for distributing the data of the selected at least one print job (see, e.g., Figs. 3 and 4; para. [0033]-[0039]).

One aspect of the present invention, as claimed in independent claim 16, provides a system for distributing a print job. The system includes a network (200); and at least one e-mail enabled printer (230) for communicating over the network. The e-mail enabled printer is capable of creating and sending e-mails and comprises at least one microprocessor (236) for operating the e-mail enabled printer, a display device (232) for displaying the print job, and a job retention memory (238) for storing data of the print job for distribution. As such, the at least one microprocessor of the e-mail enabled printer is configured to translate the data of the print job into an image format for printing by the e-mail enabled printer, and is configured to create an e-mail, attach the data of the print job to the e-mail, and send the e-mail and the data of the print job to an e-mail enabled device (230/210/220) (see, e.g., Figs. 1, 3, and 4; para. [0016], [0022]-[0032]).

One aspect of the present invention, as claimed in independent claim 21, provides a method of distributing print job data from an e-mail enabled printer (230), with the print job data comprising data to be printed by the e-mail enabled printer. The method includes connecting the e-mail enabled printer to a network (200); retrieving the print job data from a memory (235) of the e-mail enabled printer using a network device in communication with the e-mail enabled printer via the network; attaching the print job data to an e-mail; sending the e-mail and the print job data from the e-mail enabled printer to an e-mail enabled device (230/210/220); and storing the print job data in a job retention memory of the e-mail enabled device (see, e.g., Figs. 1, 3, and 4; para. [0033]-[0039]).

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

RECEIVED
CENTRAL FAX CENTER

APR 02 2007

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Appellant seeks review of the rejection of claims 1-17 and 19-21 under 35 U.S.C. 103(a) as being unpatentable over Czyszczewski et al. US Patent No. 6,577,907 in view of Chang et al. US Publication No. 2002/0055984.

ARGUMENT

I. Rejections Under 35 U.S.C. §103

A. Applicable Law

Under 35 U.S.C. §103, the Examiner has the burden to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). Three criteria must be satisfied to establish a *prima facie* case of obviousness. First, the Examiner must show that some objective teaching in the prior art or some knowledge generally available to one of ordinary skill in the art would teach, suggest, or motivate one to modify a reference or to combine the teachings of multiple references. *Id.* Second, the prior art can be modified or combined only so long as there is a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Third, the prior art reference or combined prior art references must teach or suggest all of the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). These three criteria are also set forth in M.P.E.P. §706.02(j). Even when obviousness is based on a single reference, there must be a showing of suggestion or motivation to modify the teachings of that reference. *In re Kotzab*, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). In performing the obviousness inquiry under 35 U.S.C. §103, the Examiner must avoid hindsight. *In re Bond*, 910 F.2d 831, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990), *reh'g denied*, 1990 U.S. App. LEXIS 19971 (Fed. Cir. 1990).

B. Rejection of claims 1-17 and 19-21 under 35 U.S.C. §103(a)

Because the rejection of claims 1-17 and 19-21 under 35 U.S.C. 103(a) as being unpatentable over Czyszczewski et al. US Patent No. 6,577,907 in view of Chang et al. US Publication No. 2002/0055984 fails to establish a *prima facie* case of obviousness, the rejection of claims 1-17 and 19-21 is not correct and should be withdrawn.

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

The method of independent claim 1 recites that the e-mail enabled printer is capable of creating and sending e-mails, and includes "attaching said print job data to an e-mail created by said e-mail enabled printer," and "sending said e-mail and said print job data from said e-mail enabled printer to an e-mail enabled device."

The method of independent claim 11 recites that the e-mail enabled printer is capable of creating and sending e-mails, and includes "creating an e-mail with said e-mail enabled printer," and "sending said e-mail from said e-mail enabled printer for distributing said data of said selected at least one print job."

The system of independent claim 16 recites that the e-mail enabled printer is capable of creating and sending e-mails, and provides that the at least one microprocessor of the e-mail enabled printer "is configured to translate said data of said print job into an image format for printing by said e-mail enabled printer, and is configured to create an e-mail, attach said data of said print job to said e-mail, and send said e-mail and said data of said print job to an e-mail enabled device."

The method of independent claim 21 includes "connecting said e-mail enabled printer to a network," "retrieving said print job data from a memory of said e-mail enabled printer using a network device in communication with said e-mail enabled printer via said network," "attaching said print job data to an e-mail," and "sending said e-mail and said print job data from said e-mail enabled printer to an e-mail enabled device."

Independent claims 1, 11, 16, and 21, therefore, each include an e-mail enabled printer capable of creating and sending e-mails, and include creating an e-mail with the e-mail enabled printer, attaching print job data to the e-mail created by the e-mail enabled printer, and sending the e-mail and the print job data from the e-mail enabled printer.

The Examiner contends that the Czyszczewski et al. patent discloses a method of distributing print job data from an e-mail enabled printer, with said print job data to be printed by the e-mail enabled printer and said e-mail enabled printer capable of creating and sending e-mails, with said method comprising: retrieving said print job data from a memory of said e-mail enabled printer; attaching said print job data to an e-mail created by said e-mail enabled printer; sending said e-mail and said print job data from said e-mail enabled printer to an e-mail enabled device; and storing said print job data in a job retention memory of said e-mail enabled device (Final Office Action, pages 2-3).

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

The Examiner recognizes, however, that the Czyszczewski et al. patent does not disclose a printer and the recited elements that are part of the printer (Final Office Action, page 3). As such, the Examiner contends that the Chang et al. publication discloses in Figs. 4a to 4c that a printer controller can reside inside the printer as shown in Fig. 4c (Final Office Action, page 3). Thus, the Examiner suggests that, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the integration of the printer controller unit as taught by Chang with the printers of Czyszczewski (Final Office Action, page 3).

The Czyszczewski et al. patent discloses a multifunction device 10 including a multifunction controller 25; a first interface 120 for receiving input data from at least one scanner 20, and a second interface 125 for outputting processed input data to at least one printer 43 (see Abstract; Figs. 1, 2, and 5). In addition, the Czyszczewski et al. patent discloses that the multifunction controller 25 is capable of communicating with, and utilizing, various optional global services 55 and optional local services 135 including e-mail, facsimile (fax), printer, directory, security and library services and datastores (col. 5, lines 15-24).

As such, the Czyszczewski et al. patent suggests that the multifunction controller 25 enables a user to send the same document to a number of printers, fax numbers, and e-mail addresses, and provides a user with an ability to request printing, to hold a document for later access, as well as to redirect a document to a desired printer or other output device (col. 3, lines 2-7). Thus, the Czyszczewski et al. patent teaches that the multifunction controller 25 implements the optional global services 55 or optional local services 135 including e-mailing from the multifunction device 10. The Czyszczewski et al. patent, however, does not teach or suggest that printer 43 (or global remote printers 53) perform the optional global services 55 or optional local services 135 such as e-mailing.

The Examiner suggests that it would have been obvious to a person of ordinary skill in the art to integrate the controller with the printer. Appellant submits, however, that the Czyszczewski et al. patent actually teaches away from incorporating multifunction controller 25 into printer 43. A *prima facie* case of obviousness may be rebutted by showing that the art, in any material respect, teaches away from the claimed invention. *In re Geisler*, 116 F.3d 1465, 1471, 43 USPQ2d 1362, 1366 (Fed. Cir. 1997). In addition, Appellant submits that modifying the Czyszczewski et al. patent to incorporate multifunction controller 25 into

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

printer 43, as suggested by the Examiner, would render the Czyszczewski et al. patent unsatisfactory for its intended purpose. If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). Thus, Appellant submits that modifying the Czyszczewski et al. patent to integrate the controller with the printer, as suggested by the Examiner, would not have been obvious.

For example, the Czyszczewski et al. patent states that "[t]he teachings found herein provide a cost effective multifunction device, as the multifunction controller and the scanner can be added to existing printers to create the multifunction device" (col. 2, lines 19-22). More specifically, the Czyszczewski et al. patent discloses that "[t]he scanner 20 and printer 43 may be any commercially available devices using industry standard interfaces for communication to the controller 25," whereby "[t]his provides an advantage in that the controller 25 may be integrated with scanning and printing devices already in place" (col. 5, lines 40-44). Accordingly, by providing the multifunction device including the multifunction controller as a separate device, the Czyszczewski et al. patent states that "[t]he multifunction device is also more competitive than traditional devices, as it allows the best scanners and printers to be selected on their own merit, rather than being tied together in a monolithic device" (col. 2, lines 39-42). Incorporating the multifunction controller into the printer as suggested by the Examiner, however, would "tie" the controller and the printer together, thereby preventing scanners and printers to be selected on their own merit.

The Czyszczewski et al. patent also states that "...the multifunction controller is preferably implemented as a general purpose system, such as a PC or a workstation" whereby "[t]he general purpose multifunction controller enables modularity and middleware integration" (col. 2, lines 9-15). In this regard, the Czyszczewski et al. patent states that "[t]he modularity of the multifunction device provides a number of advantages, in that the device is more affordable, has greater investment protection, is scalable, and has greater reach and availability" (col. 1, line 66 - col. 2, line 2). Incorporating the multifunction controller into the printer as suggested by the Examiner, however, would eliminate this modularity.

The Czyszczewski et al. patent further states that "[t]he teachings found herein also provide investment protection for the purchaser by allowing more advanced printers or

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

scanners to replace older technology, without replacing the entire multifunction device" (col. 2, lines 30-33). More specifically, the Czyszczewski et al. patent discloses that "[a]n additional advantage is that, as the scanner 20 or printer 43 reaches the end of its useful life, or additional features become available, the scanner 20 or printer 43 may be replaced, without replacing other components of the overall system that comprises the multifunction device 10" (col. 5, lines 44-50). In this regard, the Czyszczewski et al. patent specifically discloses that the multifunction controller "allows the modular replacement of printers and scanners" (col. 3, lines 1-2). Incorporating the multifunction controller into the printer as suggested by the Examiner, however, would eliminate this replacement aspect of the multifunction controller in that if the controller were integrated into the printer, replacing the printer would also involve replacing the multifunction controller.

Accordingly, Appellant submits that modifying the Czyszczewski et al. patent in the manner suggested by the Examiner to incorporate the controller into the printer, therefore, is contrary to the teaching of the Czyszczewski et al. patent in that the Czyszczewski et al. patent actually teaches away from incorporating the controller into the printer. In addition, Appellant submits that modifying the Czyszczewski et al. patent in the manner suggested by the Examiner to incorporate the controller into the printer would defeat the intended purpose of the Czyszczewski et al. patent in that the selection, modularity, and replacement aspects of the Czyszczewski et al. patent would be eliminated. Appellant, therefore, submits that there is no suggestion or motivation to make the proposed modification.

In view of the above, Appellant submits that the Examiner has not established a *prima facie* case of obviousness of independent claims 1, 11, 16, and 21, and submits that independent claims 1, 11, 16, and 21 are each patentably distinct from the Czyszczewski and Chang references. Furthermore, as dependent claims 2-10 further define patentably distinct claim 1, dependent claims 12-15 further define patentably distinct claim 11, and dependent claims 17, 19, and 20 further define patentably distinct claim 16, Appellant submits that these dependent claims are also patentably distinct from the Czyszczewski and Chang references. Appellant, therefore, respectfully submits that the rejection of claims 1-17 and 19-21 under 35 U.S.C. §103(a) is not correct and should be withdrawn, and submits that claims 1-17 and 19-21 should be allowed.

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

**RECEIVED
CENTRAL FAX CENTER**

APR 02 2007

CONCLUSION

For the above reasons, Appellant respectfully submits that the art of record neither anticipates nor renders obvious the claimed invention. Thus, the claimed invention does patentably distinguish over the art of record. Appellant, therefore, respectfully submits that the above rejections are not correct and should be withdrawn, and respectfully requests that the Examiner be reversed and that all pending claims be allowed.

Any inquiry regarding this Appeal Brief should be directed to either Nathan R. Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

IP Administration
Legal Department, M/S 35
HEWLETT-PACKARD COMPANY
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Travis J. Parry,

By his attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-2006
Facsimile: (612) 573-2005

Date: Apr. 2, 2007
SAL:hsf


Scott A. Lund

Reg. No. 41,166

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 2ND day of April, 2007.

By 

Name: Scott A. Lund

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

**RECEIVED
CENTRAL FAX CENTER**

APR 02 2007

CLAIMS APPENDIX

1. (Previously Presented) A method of distributing print job data from an e-mail enabled printer, said print job data comprising data to be printed by the e-mail enabled printer, and said e-mail enabled printer capable of creating and sending e-mails, said method comprising:
 - retrieving said print job data from a memory of said e-mail enabled printer;
 - attaching said print job data to an e-mail created by said e-mail enabled printer;
 - sending said e-mail and said print job data from said e-mail enabled printer to an e-mail enabled device; and
 - storing said print job data in a job retention memory of said e-mail enabled device.
2. (Previously Presented) The method according to claim 1, wherein said retrieving said print job data from said memory of said e-mail enabled printer comprises retrieving said print job data from a job retention memory of said e-mail enabled printer.
3. (Previously Presented) The method according to claim 1, wherein said retrieving said print job data from said memory of said e-mail enabled printer is initiated using a device in communication with said e-mail enabled printer.
4. (Previously Presented) The method according to claim 3, wherein said device in communication with said e-mail enabled printer includes a network device selected from a group consisting of a workstation, an e-mail enabled printer, and an e-mail server.
5. (Previously Presented) The method according to claim 1, further comprising:
 - creating an e-mail for attaching said print job data to, said e-mail including an e-mail address.

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

6. (Previously Presented) The method according to claim 5, wherein said creating said e-mail for attaching said print job data to comprises:

providing a list of available e-mail addresses;

selecting at least one of said available e-mail addresses; and

creating an e-mail addressed to each of said selected at least one available e-mail addresses.

7. (Previously Presented) The method according to claim 6, wherein said providing said list of available e-mail addresses comprises:

retrieving a list of stored e-mail addresses from a memory of said e-mail enabled printer; and

displaying said list of stored e-mail addresses for selection.

8. (Previously Presented) The method according to claim 5, wherein said creating said e-mail for attaching said print job data to comprises:

retrieving at least one e-mail address entered by a user; and

creating an e-mail addressed to said at least one e-mail address entered by said user.

9. (Previously Presented) The method according to claim 1, wherein said attaching said print job data to said e-mail created by said e-mail enabled printer comprises attaching said print job data to an e-mail addressed to at least one designated e-mail address.

10. (Previously Presented) The method according to claim 1, wherein said sending said e-mail and said print job data to said e-mail enabled device comprises sending said e-mail and said print job data from said e-mail enabled printer to a network device selected from the group consisting of a workstation, an e-mail enabled printer, and an e-mail server.

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

11. (Previously Presented) A method of distributing a print job, comprising:

storing one or more print jobs in a memory of an e-mail enabled printer, each of said print jobs comprising data to be printed by the e-mail enabled printer, and said e-mail enabled printer capable of creating and sending e-mails;

selecting at least one of said one or more print jobs stored in said memory of said e-mail enabled printer for distribution;

creating an e-mail with said e-mail enabled printer;

attaching said data of said selected at least one print job to said e-mail; and

sending said e-mail from said e-mail enabled printer for distributing said data of said selected at least one print job.

12. (Previously Presented) The method according to claim 11, wherein storing one or more print jobs in said memory of said e-mail enabled printer comprises:

sending a print job to said e-mail enabled printer;

receiving said sent print job at said e-mail enabled printer; and

storing said print job in a job retention memory of said e-mail enabled printer.

13. (Previously Presented) The method according to claim 11, wherein said creating said e-mail comprises:

retrieving a list of available e-mail addresses from said memory of said e-mail enabled printer;

selecting at least one e-mail address from said retrieved list of available e-mail addresses; and

addressing an e-mail with said selected at least one e-mail address.

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: **METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB**

14. (Previously Presented) The method according to claim 11, wherein said creating said e-mail comprises:

entering at least one e-mail address into said e-mail enabled printer using a control panel of said e-mail enabled printer; and

addressing an e-mail with said at least one entered e-mail address.

15. (Previously Presented) The method according to claim 11, wherein said selecting at least one of said one or more print jobs stored in said memory of said e-mail enabled printer for distribution comprises:

retrieving a list of print jobs stored in said memory of said e-mail enabled printer from said memory;

displaying said list of print jobs stored in said memory;

providing a control panel for selecting at least one of said print jobs in said list of print jobs; and

selecting at least one of said print jobs using said control panel.

16. (Previously Presented) A system for distributing a print job, comprising:

a network; and

at least one e-mail enabled printer for communicating over said network, said e-mail enabled printer capable of creating and sending e-mails and comprising at least one microprocessor for operating said e-mail enabled printer; a display device for displaying said print job; and a job retention memory for storing data of said print job for distribution,

wherein said at least one microprocessor of said e-mail enabled printer is configured to translate said data of said print job into an image format for printing by said e-mail enabled printer, and is configured to create an e-mail, attach said data of said print job to said e-mail, and send said e-mail and said data of said print job to an e-mail enabled device.

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

17. (Previously Presented) The system according to claim 16, wherein said e-mail enabled printer further comprises a control panel for selecting said print job from one or more print jobs displayed on said display device.

18. (Cancelled)

19. (Previously Presented) The system according to claim 16, wherein said e-mail enabled printer further comprises at least one list of e-mail addresses for displaying on said display device.

20. (Previously Presented) The system according to claim 16, further comprising:

an Internet connection for communicating with said network;

an e-mail server for communicating with said network; and

at least one workstation for communication with said network.

21. (Previously Presented) A method of distributing print job data from an e-mail enabled printer, said print job data comprising data to be printed by the e-mail enabled printer, said method comprising:

connecting said e-mail enabled printer to a network;

retrieving said print job data from a memory of said e-mail enabled printer using a network device in communication with said e-mail enabled printer via said network;

attaching said print job data to an e-mail;

sending said e-mail and said print job data from said e-mail enabled printer to an e-mail enabled device; and

storing said print job data in a job retention memory of said e-mail enabled device.

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: **METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB**

EVIDENCE APPENDIX

None.

**Appeal Brief to the Board of Patent Appeals and Interferences
of the United States Patent and Trademark Office**

Appellant: Travis J. Parry

Serial No.: 09/989,340

Filed: November 20, 2001

Docket No.: 10012807-1

Title: METHOD AND SYSTEM FOR DISTRIBUTING PRINT JOB

RELATED PROCEEDINGS APPENDIX

None.